

of the allowable product claim should be rejoined. See MPEP 821.03 "Rejoinder".

Applicants note that the last three lines on page 2 of the Office Action are not applicable to the elected invention.

Restriction to one of the inventions of Group II, III and VI has been required by the Examiner under 35 U.S.C. 121. The requirement for restriction is respectfully traversed. Reconsideration and withdrawal thereof are requested.

The Examiner indicates that restriction to one of the sequences of SEQ ID No: 92-182 is required for each of the inventions of Group II, II and VI. However, the Examiner provides no basis for requiring election of a single species. None of the Examiner's comments on pages 3-4 of the Office Action are at all relevant as to why Applicants should elect a single species among all of the disclosed species.

Furthermore, Applicants respectfully request that the invention of Group VI, claims 24-27, be rejoined upon allowance of the invention of Group II. See MPEP 821.03 "Rejoinder".

Finally, in order to be fully responsive to the Examiner's requirement, Applicants elect SEQ ID NO: 93 which is encoded by the nucleic acid sequence of SEQ ID NO: 2.

Favorable action on the merits is respectfully requested.


Application No. 09/771,161

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$55.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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